



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/714,207	11/17/2000	Yonatan Pesach Stern	O02/6	5096

7590 10/20/2004

D'Vorah Graeser
C/O The Polkinghorns
9003 Florin Way
Upper Marlboro, MD 20772

EXAMINER

TRAN, QUOC A

ART UNIT PAPER NUMBER

2176

DATE MAILED: 10/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/714,207

Applicant(s)

STERN ET AL.

Examiner

Quoc A. Tran

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 July 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 7-19 and 21-38 is/are pending in the application.
- 4a) Of the above claim(s) 5, 6, and 20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-4, 7-19 and 21-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to Amendment A, filed 06/14/2004.
2. Claims 1-4, 7-19, and 21-38 are currently pending in this application. Claims 1, 19, 23, 24 and 25 are independent claims.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1-4, 7, 14, 16-19, 21-22, 24-30, and 34-35 are rejected under 35 U.S.C. 103(a) as being unpatentable by Mitchell et al. US Patent No. 5,963,966 issued 10/05/1999 filed 11/08/1996 (hereinafter '966), in view of Langford-Wilson US Patent No. 5,953,733 issued 09/14/1999 filed 06/21/1996 (hereinafter '733), further in view of Ferrel et al. US Patent No. 5,907,837 issued 05/25/1999 filed 11/17/1995 (hereinafter '837).**

In regard to independent claim 1, "analyzing the data to decompose the layout of each page... into said plurality of blocks, each block representing an objects", as taught by '966 at col. 1, lines 20-30, (i.e. ... page decomposition and text recognition (OCR). Page decomposition identifies the overall layout of a document page),

'966 does not explicitly disclose, *"each page of newspaper"*, however as taught by '733 at col. 3, lines 27-37 (i.e. ... invention is called NAILS, an acronym which stands for "Newspaper Automated Intelligent Layout System"... Suits or matches the particular design (presentation) of a publication and/or).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified '733 into '966 to provide each page of the newspaper as layout of decompose data. One of ordinary skill in the art would have been motivated to modify this combination to provide the advantages of faster to produce a layout a newspaper, low overhead for layout training and time saving when "re-design" a newspaper and also providing consistency of style and flavor of publication to readers with this combination, as taught by '733 at col. 11, line 65 through col. 12, line 50 (i.e... faster to produce a layout...).

'966 and '733 do not explicitly disclose, *"converting each object to an internal publication format; said format identifying said internal structure; and rendering said internal publication format to incorporate said objects and respective internal structure in the final publication format"*, however as taught by '837 at col. 11, line 15 through col. 12, line 10 (i.e. ...Streams are the basic file system component in which data lives...Streams are named by using a text string; they can contain any internal structure... as taught by '837 at col. 11, line 15 through col. 12, line 10 (i.e. ...Streams are the basic file system component in which data lives...Streams are named by using a text string; they can contain any internal structure... as taught by '837 at col. 11, line 15 through

Art Unit: 2176

col. 12, line 10 (i.e. ...Streams are the basic file system component in which data lives...Streams are named by using a text string; they can contain any internal structure... as taught by '837 at col. 11, line 15 through

col. 12, line 10 (i.e. ...Streams are the basic file system component in which data lives...Streams are named by using a text string; they can contain any internal structure... as taught by '837 at col. 11, line 15 through

col. 12, line 10 (i.e. ...Streams are the basic file system component in which data lives...Streams are named by using a text string; they can contain any internal structure... as taught by '837 at col. 11, line 15 through

col. 12, line 10 (i.e. ...Streams are the basic file system component in which data lives...Streams are named by using a text string; they can contain any internal structure... as taught by '837 at col. 11, line 15 through

col. 12, line 10 (i.e. ...Streams are the basic file system component in which data lives...Streams are named by using a text string; they can contain any internal structure... as taught by '837 at col. 11, line 15 through

col. 12, line 10 (i.e. ...Streams are the basic file system component in which data lives...Streams are named by using a text string; they can contain any internal structure... as taught by '837 at col. 11, line 15 through

col. 12, line 10 (i.e. ...Streams are the basic file system component in which data lives...Streams are named by using a text string; they can contain any internal structure... as taught by '837 at col. 11, line 15 through

col. 12, line 10 (i.e. ...Streams are the basic file system component in which data

Art Unit: 2176

lives...Streams are named by using a text string; they can contain any internal structure... as taught by '837 at col. 11, line 15 through col. 12, line 10 (i.e. ...Streams are the basic file system component in which data lives...Streams are named by using a text string; they can contain any internal structure...designed to support the creation of MPS (multimedia publishing system)...the MP system 100...), also as taught by '837 at col. 20 , lines 5-15 (i.e.... create content for the MP system 100 in the MPS Document Editor 188...The author applies these styles to the text to identify the different elements of the document (headline, abstract, body text, and so forth). Only the predefined styles should be used. When the document is saved in MPML format, these styles are mapped to SGML tags by the MPML output converter...).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified '837 into '966 and '733 to provide a automatic publishing data, wherein each object is converting to an internal publication format; said format identifying said internal structure; and rendering said internal publication format to incorporate said objects and respective internal structure in the final publication format. One of ordinary skill in the art would have been motivated to modify this combination to provide the MP (Multimedia Publishing) system, such as newspaper designers the ability to dynamically find and display content, dynamic synthesis at runtime/design time within the particular section of the newspaper, as taught by '837 at col. 7, lines 10-55 (i.e... important advantage of the MP system is the ability to dynamically find and display content at runtime...).

In regard to dependent claim 2, incorporate substantially similar subject matter as cited in claim 1 above, and in further view of the following, and is similarly rejected along the same rationale.

"mark-up language to indicate said objects", as taught by '966 at col. 5; lines 53-63 (i.e. ... markup language...).

In regard to dependent claim 3, *"mark-up language is XML"*, as taught by '966 at col. 6, line 65 through col. 7, line 5 (i.e. ... an extended version of HTML...).

In regard to dependent claim 4, *"the final publication format is a mark-up language document"*, as taught by '966 at col. 5, lines 53-63 (i.e. ... enables direct translation into HTML format (a subset of SGML), and thus provides a mechanism for translating documents into a format that can be accessed through the Internet using current browsers...).

In regard to dependent claim 7, *"layout is decomposed by classifying each object according to a category selected from the group consisting of an article, an advertisement, a picture not otherwise associated with said article or said advertisement, and general data,"* as taught by '966 at col. 2, lines 4-10 (i.e. ...during page decomposition are propagated forward in the system, it is important that the graphical and textual regions of the page be correctly identified...).

In regard to dependent claim 8, *"object is constructed in said converting from content and at least one attribute of said object in said layout"*, as taught by '966 at col. 9, lines 1-5 (i.e. ... text images are stored in binary format, words or phrases which have

hyperlinks are converted to reverse video, as shown in FIG. 9, to make them distinguishable to the user...).

In regard to dependent claim 14, *“preparing a list of text and/or graphic elements for each object; determining properties of each element; and recognizing structural layout properties of the data in an original format”* however as taught by '733 col. 3, lines 25-60 (i.e. ... Predefine suitable layouts and store these into a database and/or ... Determine and predefine the conditions or circumstances in which each of these layouts may be considered suitable for use and/or... Define, for each of these layouts, rules governing the behavior of each element of layout, as to its size, position and typographic style and so on...).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified '733 into '966 and '837 to provide a automatic publishing data, wherein preparing a list of text or graphic elements for each object; determining properties of each element; and recognizing structural layout properties of the data in an original format. One of ordinary skill in the art would have been motivated to modify this combination to provide the advantages of faster to produce a layout a newspaper, low overhead for layout training and time saving when “re-design” a newspaper and also providing consistency of style and flavor of publication to readers with this combination, as taught by '733 at col. 11, line 65 through col. 12, line 50 (i.e... faster to produce a layout...).

In regard to dependent claim 16, *“determining properties of each element includes the step a determining a special characteristic for each text element”* as taught

Art Unit: 2176

by '733 at col. 4, lines 55-61 (i.e. ... lead stories, picture stories, fillers, secondary leads and so on).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified '733 into '966 and '837 to provide a automatic publishing data, wherein properties of each element includes the step a determining a special characteristic for each text element. One of ordinary skill in the art would have been motivated to modify this combination to provide the advantages of faster to produce a layout a newspaper, low overhead for layout training and time saving when "re-design" a newspaper and also providing consistency of style and flavor of publication to readers with this combination, as taught by '733 at col. 11, line 65 through col. 12, line 50 (i.e... faster to produce a layout...).

In regard to dependent claim 17, "*determining each text segment for each object; and building a text block from a plurality of aligned text segments*", as taught by '733 at col. 4, lines 55-61 (i.e. ... lead stories, picture stories, fillers, secondary leads and so on...), also as taught by '733 col. 6, lines 28-31 (i.e. ...Resizing Expressions allow relationships to be defined between the various elements of a layout (Child or Cousin), such as the headline, subheading pictures, captions, bylines, body text and so on...).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified '733 into '966 and '837 to provide a automatic publishing data, wherein determining each text segment for each object; and building a text block from a plurality of aligned text segments. One of ordinary skill in the art would

Art Unit: 2176

have been motivated to modify this combination to provide the advantages of faster to produce a layout a newspaper, low overhead for layout training and time saving when "re-design" a newspaper and also providing consistency of style and flavor of publication to readers with this combination, as taught by '733 at col. 11, line 65 through col. 12, line 50 (i.e... faster to produce a layout...).

In regard to dependent claim 18, *"creating a graphic block from a plurality of graphic elements"*, as taught by '733 at col. 4, lines 1-2 (i.e. Graphically displays...), *"creating a hierarchy of graphic blocks; and distributing text blocks in said hierarchy of graphic blocks"*, as taught by '733 at col. 4, lines 30-45 (i.e. ... The NAILS system provides a separate "working area" for each publication published by a newspaper (such as separate daily and Sunday newspapers). The present invention utilizes a database for each of those publications. Within each publication, the database is programmed preferably in a hierarchical structure, which is: Publication... Section...Layout Style... Layout Family... Layout child... Layout cousins ... and so on...).

In regard to independent claim 19, is directed to a system for performing the method of claim s 1-4 and 17-18 above, and in further view of the following, and are similarly rejected along the same rationale;

"each page having a layout comprising a plurality of independently standing data blocks, each block having an internal structure", as taught by '733 at col. 4, lines 30-45 (i.e. ... The NAILS system provides a separate "working area" for each publication published by a newspaper (such as separate daily and Sunday newspapers). The

Art Unit: 2176

present invention utilizes a database for each of those publications. Within each publication, the database is programmed preferably in a hierarchical structure, which is: Publication... Section...Layout Style... Layout Family... Layout child... Layout cousins ... and so on...), "*newspaper data in a digital format*", as taught by '733 at col. 3, lines 25-30 (i.e..... Newspaper Automated Intelligent Layout System ... can be used for any electronic or printed media where material is laid out or presented according to a certain style...).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified '733 into '966 and '837 to provide a automatic publishing data, wherein newspaper data is in a digital format, and each page having a layout comprising a plurality of independently standing data blocks, each block having an internal structure. One of ordinary skill in the art would have been motivated to modify this combination to provide the advantages of faster to produce a layout a newspaper, low overhead for layout training and time saving when "re-design" a newspaper and also providing consistency of style and flavor of publication to readers with this combination, as taught by '733 at col. 11, line 65 through col. 12, line 50 (i.e... faster to produce a layout...).

In regard to dependent claim 21, is directed to a system for performing the method of claim 3 above, and is similarly rejected along the same rationale.

In regard to dependent claim 22, is directed to a system for performing the method of claim 1-3 above, and is similarly rejected along the same rationale.

In regard to independent claim 24, incorporate substantially similar subject matter as cited in claims 1-4, 14 and 17 above, and is similarly rejected along the same rationale.

In regard to independent claim 25, incorporate substantially similar subject matter as cited in claim 24 above, and further in view of the following, and is similarly rejected along the same rationale.

"automatically publishing data in a final publication format", as taught by '966 at Abstract (i.e... Paper documents are automatically converted into a hypertext-based format so that they can be accessed through electronic networks, including the Internet...).

In regard to dependent claim 26, *"property selected from a group including multiple columns, titles, subtitles, images and image captions"* as taught by '733 at col. 4, lines 55-61 (i.e. ... lead stories, picture stories, fillers, secondary leads and so on).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified '733 into '966 and '837 to provide a automatic publishing data, wherein the property selected from a group including multiple columns, titles, subtitles, images and image captions. One of ordinary skill in the art would have been motivated to modify this combination to provide the advantages of faster to produce a layout a newspaper, low overhead for layout training and time saving when "re-design" a newspaper and also providing consistency of style and flavor of publication to readers with this combination, as taught by '733 at col. 11, line 65 through col. 12, line 50 (i.e... faster to produce a layout...).

In regard to dependent claim 27, *"wherein said blocks correspond to content items in said newspapers"*, as taught by '733 at col. 4, lines 30-45.

In regard to dependent claim 28, *"wherein said blocks comprise a part of a column or article in said newspaper"*, as taught by '733 at col. 4, lines 30-45.

In regard to dependent claim 29, *"wherein said block includes a text portion, such that it is related to the physical layout of said newspaper"*, as taught by '733 at col. 4, lines 30-45.

In regard to dependent claim 30, *"wherein said blocks rendered in said final publication format may be viewed in an order defined by the user"*, as taught by '733 at col. 4, lines 15-20.

In regard to dependent claim 34, *"final publication format to a user through a Graphic User Interface (GUI)"*, as taught by '733 at col. 4, lines 1-2 (i.e. Graphically displays for the user the correct or suitable layouts and allows selection of one of them and/or...).

In regard to dependent claim 35, is directed to a system for performing the method of claim 8 above, and is similarly rejected along the same rationale.

5. **Claims 9-11, 31, and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mitchell et al. US Patent No. 5,963,966 issued 10/05/1999 filed 11/08/1996 (hereinafter '966), in view of Langford-Wilson US Patent No. 5,953,733 issued 09/14/1999 filed 06/21/1996 (hereinafter '733), further in view of Ferrel et al. US Patent No. 5,907,837 issued 05/25/1999 filed 11/17/1995 (hereinafter '837),**

further in view of Chen et al. US Patent No. 6,507,856 B1 issued 01/14/2003 filed 01/05/1999 (hereinafter '856).

In regard to dependent claim 9, '966, '733 and '837 do not explicitly disclose *"object is composed of a plurality of primitives, each primitive containing a portion of content and an attribute"*, however as taught by '856 at col. 5, lines 45-50 (i.e. ... system 105 receives an XML message 125 and its DTD 115, and generates a return XML message 145 based on the return message DTD 135. Other languages/codes may be used in addition to or instead of XML and/or DTD. ...).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified '856 into '966, '733 and '837 to provide a way, wherein object is composed of a plurality of primitives, each primitive containing a portion of content and an attribute. One of ordinary skill in the art would have been motivated to modify this combination to provide a business process automation system for dynamically exchanging and merging documents in the internet/network environment..., as taught by '856 at col. 1, lines 5-30 (i.e... automated document information exchanges and, more particularly, to a system and method for automating document exchange and merging...).

In regard to dependent claim 10, *"wherein each attribute is stored in an XML tag"*, as taught by '856 at col. 6, lines 20-25 (i.e. ... XML name tag map table 325 includes rows which have a pair of mapped name tags...).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified '856 into '966, '733 and '837 to provide a way,

Art Unit: 2176

wherein each attribute is stored in an XML tag. One of ordinary skill in the art would have been motivated to modify this combination to provide a business process automation system for dynamically exchanging and merging documents in the internet/network environment..., as taught by '856 at col. 1, lines 5-30 (i.e... automated document information exchanges and, more particularly, to a system and method for automating document exchange and merging...).

In regard to dependent claim 11, *"wherein at least one attribute describes a relationship between said primitives of said object"*, as taught by '856 at col. 6, lines 20-25 (i.e. ... have a pair of mapped name tags, one for a first XML type 405, and the other for a return XML type 415. To avoid ambiguity due to the possible usage of the same tags in different locations of the DTD ...).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified '856 into '966, '733 and '837 to provide a way, wherein at least one attribute describes a relationship between said primitives of said object. One of ordinary skill in the art would have been motivated to modify this combination to provide a business process automation system for dynamically exchanging and merging documents in the internet/network environment..., as taught by '856 at col. 1, lines 5-30 (i.e... automated document information exchanges and, more particularly, to a system and method for automating document exchange and merging...).

In regard to dependent claim 31, incorporate substantially similar subject matter as cited in claims 8-9 above, and is similarly rejected along the same rationale.

In regard to dependent claim 36, is directed to a system for performing the method of claim 9 above, and is similarly rejected along the same rationale.

6. Claims 12-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mitchell et al. US Patent No. 5,963,966 issued 10/05/1999 filed 11/08/1996 (hereinafter '966), in view of Langford-Wilson US Patent No. 5,953,733 issued 09/14/1999 filed 06/21/1996 (hereinafter '733), further in view of Ferrel et al. US Patent No. 5,907,837 issued 05/25/1999 filed 11/17/1995 (hereinafter '837), further in view of Hill et al. US Patent No. 6,023,714 issued 02/08/2000 filed 04/24/1997 (hereinafter '714).

In regard to dependent claim 12, '966, '733 and '837 do not explicitly disclose *"wherein said rendering said internal publication format is performed according to a type of hardware device for displaying the final publication format"*, however as taught by '714 at col. 2, lines 15-20 (i.e. ... dynamically formatting a document based upon the capabilities and constraints of a particular output device. ...).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified '714 into '966, '733 and '837 to provide a way, wherein at least one attribute describes a relationship between said primitives of said object. One of ordinary skill in the art would have been motivated to perform such a modification for providing a method for dynamically formatting a document based upon the capabilities and constraints of a particular output device so that would allows a document to be displayed on a large number of display devices, as taught by '714 at

col. 1, line 45 through col. 2, line 25 (i.e... formatting documents for distribution over a network...)

In regard to dependent claim 13, *“wherein said rendering said internal publication format is performed only after a query from a specific hardware device is received”*, as taught by ‘714 at col. 10, lines 16-26 (i.e. ... the client requests a document stored on a remote storage device from the server. The client obtains the requested document including an embedded layout generator or script from the server in step 404...).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified ‘714 into ‘966, ‘733 and ‘837 to provide a way, wherein rendering internal publication format is performed only after a query from a specific hardware device is received. One of ordinary skill in the art would have been motivated to perform such a modification for providing a method for dynamically formatting a document based upon the capabilities and constraints of a particular output device so that would allow a document to be displayed on a large number of display devices, as taught by ‘714 at col. 1, line 45 through col. 2, line 25 (i.e... formatting documents for distribution over a network...).

7. Claims 15, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mitchell et al. US Patent No. 5,963,966 issued 10/05/1999 filed 11/08/1996 (hereinafter ‘966), in view of Langford-Wilson US Patent No. 5,953,733 issued 09/14/1999 filed 06/21/1996 (hereinafter ‘733), further in view of Ferrel et al. US

Art Unit: 2176

Patent No. 5,907,837 issued 05/25/1999 filed 11/17/1995 (hereinafter '837), further in view of Votipka US Patent No. 6,185,589 B1 issued 02/02/2001 filed 07/31/1998 (hereinafter '589).

In regard to dependent claim 15, '966, '733 and '837 do not explicitly disclose, *"determining properties of each element includes determining visibility and overlap characteristics for each graphic element"*, however as taught by '589 at col. 4, lines 45-50 (i.e. ... then overlaid as the foreground layer 416, 426 over the background layer 408 of its corresponding fixed-width cell...).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified '589 into '966, '733 and '837 to provide a way, wherein determining properties of each element includes determining visibility and overlap characteristics for each graphic element. One of ordinary skill in the art would have been motivated to perform such a modification to provide a great bearing on the newspaper's "appeal" to different readers (such as, large heavy headlines in a tabloid, or smaller "dignified" headlines in a "quality" broadsheet). The readers are attracted to buy the paper and this obviously helps to determine that paper's market. Designs also serve the purpose of giving the newspaper a unique or distinct look so that they are distinguished from their competitors, as taught by '733 col. 1, lines 25-35 (i.e... newspaper's "appeal" to different readers (such as, large heavy headlines in a tabloid, or smaller "dignified" headlines in a "quality" broadsheet...)).

In regard to independent claim 23, incorporate substantially similar subject matter as cited in claims 1, 14-15 above, and is similarly rejected along the same rationale.

8. **Claims 32-33, and 37-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mitchell et al. US Patent No. 5,963,966 issued 10/05/1999 filed 11/08/1996 (hereinafter '966), in view of Langford-Wilson US Patent No. 5,953,733 issued 09/14/1999 filed 06/21/1996 (hereinafter '733), and further in view of Watanabe et al. US Patent No. 6,324,554 B1 issued 11/27/2001 filed 05/25/1995 (hereinafter '554).**

In regard to dependent claim 32, '966, '733 and '837 do not explicitly disclose, "*archived data comprises microfilm data*", however as taught by '554 at col. 5, lines 60-65 (i.e. ...image information can be written into or read out from the image file 34. A microfilm...).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified '554 into '966, '733 and '837 to provide a way, wherein the archived data comprises microfilm data. One of ordinary skill in the art would have been motivated to perform such a modification to provide an image processing system which can edit document data (including image data or the like) and print an output or display the document data and, more particularly, to an image processing system in which a working efficiency is improved by the cutting and pasting

of the data, as taught by '554 col. 1, lines, 27-32 (i.e... working efficiency is improved...).

In regard to dependent claim 33, *"wherein said analyzing said data further comprises converting said microfilm data into a digital format"*, as taught by '554 at col. 5, lines 60-65 (i.e. ...a microfilm reader section to convert the searched image information in a microfilm to an electrical signal by an image pickup device...).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified '554 into '966, '733 and '837 to provide a way, wherein analyzing said data further comprises converting said microfilm data into a digital format. One of ordinary skill in the art would have been motivated to perform such a modification to provide an image processing system which can edit document data (including image data or the like) and print an output or display the document data and, more particularly, to an image processing system in which a working efficiency is improved by the cutting and pasting of the data, as taught by '554 col. 1, lines, 27-32 (i.e... working efficiency is improved...).

In regard to dependent claim 37, is directed to a system for performing the method of claim 32 above, and is similarly rejected along the same rationale.

In regard to dependent claim 38, is directed to a system for performing the method of claim 33 above, and is similarly rejected along the same rationale.

Response to Argument

9. Applicant's arguments with respect to claims 1-4, 7-19, and 21-38 have been considered but are moot in view of the new ground(s) of rejection.

In view amendment, the reference of Ferrel et al. US Patent No. 5,907,837 issued 05/25/1999 filed 11/17/1995 has been added for new ground of rejection. Applicant's arguments filed 06/16/2004 have been fully considered but they are not persuasive.

In response to applicant's arguments on pages 11-13, that '966 reference alone nor in combination with '733 does not constitute: *"recognition of blocks having internal structure"*, *"recognize structure within the text such as headlines, by lines and the like"*, *"labeling of that internal structure"*, *"automatic publishing based on labels of internal structure"*, and the combination of '966, '733 and '589 also fails to teach parsing of a document Examiner disagrees, as for *"analyzing the data to decompose the layout of each page... into said plurality of blocks recognition of blocks having internal structure"*, as taught by '966 col. 1, lines 20-45 (i.e... A page decomposition or segmentation module accepts an input document page, and processes it into its constituent parts, including text, tables, references, procedural data, and graphics... Most page segmentation methods can be classified into three broad categories: bottom-up, top-down and hybrid. ...The components are merged into words, words into lines, lines into columns, etc., until the entire page is completely assembled. In the top-down approaches, the page is first split into blocks, and these blocks are identified and subdivided appropriately....), further more as taught by '837 at col. 11, line 15 through

Art Unit: 2176

col. 12, line 10 (i.e. ...Streams are the basic file system component in which data lives...Streams are named by using a text string; they can contain any internal structure...). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified '733 into '966 to provide each page of the newspaper as layout of decompose data. One of ordinary skill in the art would have been motivated to modify this combination to provide the advantages of faster to produce a layout a newspaper, low overhead for layout training and time saving when "re-design" a newspaper and also providing consistency of style and flavor of publication to readers with this combination, as taught by '733 at col. 11, line 65 through col. 12, line 50 (i.e... faster to produce a layout...), also It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified '837 into '966 and '733 to provide a automatic publishing data, wherein each object is converting to an internal publication format; said format identifying said internal structure; and rendering said internal publication format to incorporate said objects and respective internal structure in the final publication format. One of ordinary skill in the art would have been motivated to modify this combination to provide the MP (Multimedia Publishing) system, such as newspaper designers the ability to dynamically find and display content, dynamic synthesis at runtime/design time within the particular section of the newspaper, as taught by '837 at col. 7, lines 10-55 (i.e... important advantage of the MP system is the ability to dynamically find and display content at runtime...).

As for "recognize structure within the text such as headlines, by lines and the like", and "labeling of that internal structure", see rejection of claim 17, "determining

Art Unit: 2176

each text segment for each object; and building a text block from a plurality of aligned text segments", as taught by '733 at col. 4, lines 55-61 (i.e. ... lead stories, picture stories, fillers, secondary leads and so on...), also as taught by '733 col. 6, lines 28-31 (i.e. ...Resizing Expressions allow relationships to be defined between the various elements of a layout (Child or Cousin), such as the headline, subheading pictures, captions, bylines, body text and so on...).

As for "*automatic publishing based on labels of internal structure*", as taught by '966 at Abstract (i.e... Paper documents are automatically converted into a hypertext-based format so that they can be accessed through electronic networks, including the Internet...), further more as taught by '837 at col. 11, line 15 through col. 12, line 10 (i.e. ...Streams are the basic file system component in which data lives...Streams are named by using a text string; they can contain any internal structure...). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified '837 into '966 and '733 to provide a automatic publishing data, wherein each object is converting to an internal publication format; said format identifying said internal structure; and rendering said internal publication format to incorporate said objects and respective internal structure in the final publication format. One of ordinary skill in the art would have been motivated to modify this combination to provide the MP (Multimedia Publishing) system, such as newspaper designers the ability to dynamically find and display content, dynamic synthesis at runtime/design time within the particular section of the newspaper, as

Art Unit: 2176

taught by '837 at col. 7, lines 10-55 (i.e... important advantage of the MP system is the ability to dynamically find and display content at runtime...).

As for "*the combination of '966, '733 and '589 fails to teach **parsing** of a document....*" Examiner disagrees, it is noted that the features upon which applicant relies (i.e., parsing of a document..) are not recited in the rejected claim(s).

Therefore claims independent claims 1, 19, 23, 24 and 25 remain rejected, which leads to the rejection of its dependency claims 2-4, 7-18, 21-22 and 26-38.

Conclusion

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quoc A. Tran whose telephone number is (703) 305-

Art Unit: 2176


8781, "After Oct 20, 2004, the examiner can be reach at (571) 272- 4103". The examiner can normally be reached on Monday through Friday from 8:30AM to 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on (703) 305-9792. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Quoc A. Tran
Patent Examiner
Technology Center 2176
October 15, 2004


JOSEPH H. FEILD
PRIMARY EXAMINER